



**Attorney Docket No. 030308**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**PETITION TO MAKE SPECIAL FOR NEW APPLICATION  
UNDER MPEP §708.02, VIII**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION**

Applicant hereby petitions to make this new application, which has not received any examination by the Examiner, special.

## **CLAIMS**

All of the claims in this case are directed to a single invention.

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

- deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: October 7, 2003

## *FACSIMILE*

- transmitted by facsimile to the Patent and Trademark Office.

Depositor's Name: Stacy Dumrauf

(type or print name)

**Signature:**

(type or print name)

## SEARCH

A search has been made by a searcher in the Class 705 on a computer using the PTO databases. Additionally, a key word search was performed using the PTO databases.

The following references, copies of which are enclosed, were noted to date as being relevant or of some interest.

Ref. No.	Patent/Publication Number	Issue Date	Applicant Name
1.	6,571,221	May 27, 2003	Stewart et al.
2.	6,289,455	September 11, 2001	Kocker et al.
3.	5,734,719	March 31, 1998	Tsevdos et al.
4.	5,852,810	December 22, 1998	Sotiroff et al.
5.	2003/0110130	N/A	Pelletier
6.	2003/0061132	N/A	Yu, Sr. et al.
7.	2002/0188842	N/A	Willeby
8.	6,519,571	February 11, 2003	Guheen et al.
9.	6,389,402	May 14, 2002	Ginter et al.
10.	4,055,746	October 25, 1977	Peterson

None of the references capture the invention as claimed. Each of the independent claims in the subject application is directed to a method comprising, an apparatus comprising, and a computer readable medium for operating a protection system to protect an application from unauthorized operation. The invention includes associating a geographic identifier associated with a predetermined operating region with the application, downloading the application, receiving a request, which includes the geographic identifier, to execute the application, determining the device location, comparing the device location with the predetermined operating region and preventing the application from executing when the device is outside the predetermined operating region.

In this regard, the claimed invention is patentably distinct because the references do not at least teach or disclose the having a predetermined region, receiving a request to execute an application, the request containing a geographic identifier, and preventing the application from operating on the device when the device is outside the predetermined operating region.

Turning to a detailed discussion of the most closely related references returned from the search:

Patent 6,571,221

This patent discusses using geographic information as an identifier. However, this patent does not teach nor disclose at least the aspects of the claimed invention that include using a geographic identifier associated with the request to execute an application nor preventing the application from executing when the device is outside the predetermined operating region.

Patent 6,289,455

This patent discusses controlling content. However, it does not teach nor disclose at least the aspects of the claimed invention that include using a geographic identifier associated with the request to execute an application nor preventing the application from executing when the device is outside a predetermined operating region.

Patent 5,734,719

This patent also discusses controlling content distribution. However, it does not teach nor disclose at least the aspects of the claimed invention that include receiving a request which includes the geographic identifier, nor preventing the application from executing when the device is outside a predetermined region.

Patent 5,852,810

This patent is directed toward a geographic-specific search system comprising a World Wide Web home page. However, it does not teach nor disclose at least the aspects of the claimed invention that include downloading an application and a geographic identifier to the device, receiving a request which includes the geographic identifier, nor preventing the application from executing when the device is outside a predetermined region.

U.S. Patent Publication 2003/0110130

This publication discloses sending encrypted digital content and geographic location determination. However, it does not teach nor disclose at least the aspects of the claimed

invention that include downloading the application and the geographic identifier to the device, receiving a request to execute an application, comparing the device location with the predetermined operating region identified by the geographic identifier, nor preventing the application from executing when the device is outside the predetermined operating region.

**U.S. Patent Publication 2003/0061132**

This publication discusses controlling content distribution and includes a geographic component associated with billing. However, it does not teach nor disclose at least the aspects of the claimed invention that include receiving a request to execute an application which includes the geographic identifier, nor preventing the application from executing when the device is outside a predetermined region.

**U.S. Patent Publication 2002/0188842**

This publication discloses a server varying the geographic location of a device prior to authorizing a transaction. However, it does not teach nor disclose at least the aspects of the claimed invention that include downloading the application and the geographic identifier to the device, receiving a request to execute an application, comparing the device location with the predetermined operating region identified by the geographic identifier, nor preventing the application from executing when the device is outside the predetermined operating region.

**U.S. Patents 6,519,571, 6,389,402, and Patent 4,055,746**

These patents also discuss content transmission associated with content distribution associated with secure transactions. However, they do not teach nor disclose at least the aspects of the claimed invention that include downloading the application and the geographic identifier to the device, receiving a request to execute an application, comparing the device location with the predetermined operating region identified by the geographic identifier, nor preventing the application from executing when the device is outside the predetermined operating region.

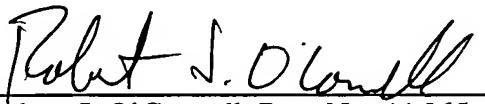
Consequently, because none of the above references teach, neither individually nor in combination, the claimed invention, Applicants believe the claimed invention is novel and nonobvious.

Submitted herewith is a copy of the references deemed most closely related to the subject matter encompassed by the claims. Also enclosed herewith is FORM PTO-1449

**FEE**

The fee required by 37 CFR 1.17(h) is to be paid by charging Account No. 17-0026 the sum of \$130. A duplicate of this petition is attached. The Commissioner is hereby further authorized to charge payment of any additional fees which may be required, or credit any overpayment, to Deposit Account No. 17-0026.

Respectfully submitted,

By:   
Robert J. O'Connell, Reg. No. 44,265  
(858) 651-4361

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QUALCOMM Incorporated  
Attn: Patent Department  
5775 Morehouse Drive  
San Diego, California 92121-1714  
Telephone: (858) 658-5787  
Facsimile: (858) 658-2502